

**A COMPLETE VINDICATION.**

**Hon. James Laird's Connection with The So-called Land Frauds Vindicated.**

**The Public Can Judge for Itself After Reading the Facts Herein Set Forth.**

**Interesting Reading for the Omaha Herald and Bee.**

Prior to the publication of what it calls its charges, which are made a part of Moore's defense, the Omaha Herald and Bee allege that improper influences had been used with the local land officers at McCook in connection with the fraudulent entry on Stinking Water by Hastings men; that the same were exerted by Hon. James Laird in his own interests; that to aid Laird to perpetrate a fraud the land office was not opened when advertised, but the day before; that the Hastings entry men were not identified, and that Congressman Laird was present when the entries were made, using his influence in aid of a fraud.

These charges, and each and every one made by the Omaha Herald and Bee that allege or imply a wrong, are false, and were known to be so when made. If not, then the absence of such knowledge was as criminal as the falsehood, for the facts could have been had for the asking. In proof of this see the certified statement of the McCook land officers:

**WHAT THE MCCOOK LAND OFFICERS SAY.**

McCook, Neb., Sept. 19, 1883.

To whom it may concern:

We, G. L. Laws, register, and C. F. Babcock, receiver, hereby certify that this office was opened June 15, 1883, at 9 a. m., pursuant to notice, published as required by law for sixty days in the newspapers of McCook land district; that Hon. James Laird was never in this office at any time; that he never spoke to either of the land officers about lands for himself or any other person; that he has not now and never had a claim of any kind of record in this land district; that neither of the officers of this district have any knowledge of any interest direct or indirect said Laird has, or ever had, in any claim of any kind in this district; that on the 15th day of June, 1883, Harry Randall, August Schmidt, James B. Wallace, John H. Clark, John G. Ballard, Arthur Williams, William F. Schulthies, Alonzo W. Laird, Hans M. Oliver, Orlando H. McNeil, Frank Stine and George H. Hulburt made homestead entries in the vicinity of the Stinking Water; that the lands covered by all these entries were properly subject to such entry as shown by the plats and books in this office; that Harry Randall, George H. Hulburt, and all others named, had their applications filled out and signed before coming to the land office on that day; that each man's name was read as signed to his papers; that each man was identified, asked if that was his signature, and if he knew the contents of the affidavit which he had signed and each answering in the affirmative, all were sworn; that no two of said applications were for or covered the same tract; that George H. Hulburt's entry was put on the tract he applied to enter; that as he expressed at that time some doubt as to the correctness of his application, the register informed him of his rights; told him that if he had made a mistake, or had been misled by any one, that he could amend his application before the record was made up; that after the record was made up, he could apply to the commissioner and have his entry amended; that on the 16th day of June, Mr. Hulburt was again advised by the register that if he had been misled or had made a mistake in his entry that he could amend, and that if he had made settlement and improvement as he said he had, no one could get the land away from him; that at that time George H. Hulburt informed the register that he did not want to amend his application because he was not sure that his entry as then made did not cover the land he wanted to enter; that we have neither record or recollection that Charles B. Moore ever made application to enter any land at this office till July 20, 1883, when he made homestead and timber culture entries in township 1, ranges 40 and 41; that said Charles B. Moore never spoke to either one of the local land officers here concerning an entry of land anywhere till after July 1, 1883; that said Moore never asked to see the plats in this office till long after the opening of this office;

that neither I. J. Starbuck nor any other person had access to the plats before June 15, 1883, or on that day; that said Starbuck did not see the plats before that day, and then only at a distance, across the office counter; that George H. Hulburt, when alone with the register, asked to see the plats while that officer was taking them out of the box in which they had been shipped from North Platte; that at the same time said Hulburt asked whether the first man here would not have a preferred right to make entry, and gave notice that he was then "here at 8 a. m." June 15, 1883; he was informed that it would be impossible to show him the plats then, but when they were arranged into towns and ranges (which the register was then doing) he would be accommodated, if possible before 9 a. m., when the office was to open; that that said George H. Hulburt was the only man at the opening of this office or since, who has sought an advantage over other entrymen by trying to have a secret understanding with the local officers, and he is the only man who has sought to make entries for parties not here. We further certify that every application presented on the 15th day of June, 1883, was received by us and entry of the same marked on the plats and tract books, and no one entry conflicted with any other entry offered or made on that day; that Mr. I. J. Starbuck was not behind the counter in the land office on June 15, 1883.

G. L. LAWS, Register,  
C. F. BABCOCK, Receiver.

**COMMISSIONER MCFARLAND THROWS LIGHT ON THE SUBJECT.**

In the course of its summer's lying about Mr. Laird, and in answer to the question as to whom its information came from and who was responsible for it, the Omaha Herald referred that gentleman to the records of the general land office, where it impliedly said the report of a special agent would be found on file, which would implicate him in its so-called land frauds. The subjoined letter of the commissioner will demonstrate the falsity of that charge:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
WASHINGTON, D. C., Sept. 20, 1883.

Hon. James Laird, Hastings, Neb.  
Sir:—I am in receipt of your letter of the 15th instant relative to an investigation of certain land entries in the McCook district said to have been made by one Myers, an agent of this department, and stating that you understand the report of the agent to reflect in some manner upon yourself personally, and you request copies of any papers referring to the matters above named and particularly any that in any wise refer to yourself.

You are informed that there is no agent of this office by the name of Myers employed in Nebraska, and no report by any agent nor papers on file in this office reflecting in any manner upon you, or connecting you with unlawful entries of public lands.

Very respectfully,  
N. C. MCFARLAND,  
Commissioner.

**WHAT THE HASTINGS PARTY SAYS.**

The gist of the flood of charges, complaints, insinuations, implications, blackguardisms, scurrility, willful lying, malice, and other venomous compounds of miscellaneous filth, which, under the general head of "Stinking Water," has been poured through the columns of the Omaha Herald and Bee for nearly a quarter of a year, comes to and amounts to this:

1. James Laird is guilty of making fraudulent entries of public lands himself, or

2. Has a secret and guilty knowledge and interest in such entries by others, or is to have.

The competent witnesses to prove or disprove the case of the Herald and Bee that remain to be called are the entrymen themselves, and what follows is their testimony.

**STATEMENT OF THE HASTINGS PARTY.**

To whom it may concern:

We, the undersigned, being the persons who have taken land by homestead or timber culture entry on what is known as Stinking Water creek, in Chase county, Nebraska, state the facts connected therewith to be as follows:

We took said lands on June 15, 1883, at McCook, Nebraska, at our own suggestion and for our own use and benefit, and not for the benefit of James Laird or at his suggestion, or any other person for him; nor has James Laird any interest in these claims, nor is there any understanding that he is to have in the future.

We were each personally present, made our own affidavits and signed them, and were each personally iden-

tified and sworn to the same by one of the land officers and paid our own fees, which fees were handed over by our attorney, James Laird was not in McCook on that day. We took these claims in compliance with the law and have complied with it in making improvements and propose to hold them. All charges of fraud made against Mr. Laird in connection with these claims are utterly false.

I Pollard, A. Yeazel,  
W. F. Schulthies Simon Kelly,  
Aug. Schmidt Arthur Williams,  
H. M. Oliver, Harry Clark,  
O. H. McNeal, James Wallace,  
Harry Randall, Frank Stine,  
A. W. Laird.

Nor can the Omaha Herald and Bee now dismiss these witnesses by stigmatizing them as "characterless bummers," as heretofore. Some of these gentlemen are among the prominent business men of Adams and Clay counties, and all of them are free from hummerism; without boasting a better average in all respects than the self-righteous liberals who try to ride them down.

When the jove-like manajack, or jackal, or jackass, from the olympian tripod of the Omaha Herald, decided to bestow the mortal bolt which should lay his victim low, he sent an agent of the department of the government, not engaged in measuring holy-water, to get proof upon which to base the charges demanded. The imbecile off-springs of cowardice, malice and implication were no longer available. In the face of a demand for the facts, even the vacancy in the editorship of the Herald dimly saw that something more than the vaporings of a hired slanderer was wanted. This tale-bearer—a man paid by the great nation for other services than licking the sores of the democratic Lazarus—went to McCook, Nebraska, found C. B. Moore, took his statement, said he would put it in the form of an affidavit, have it copied by another, lest his handwriting should betray him, present it to Moore without other change to be sworn to by him. This, as Moore supposed, was done, and upon that supposition he swore to it without further examination. Not so. The coward, who dared not allow even his hand-writing to see the light—in the opinion of Moore—caused him to swear to what was false, by means of a material alteration of his original statement, made before or after the same was sworn to by him, and if made before unknown to him when he swore to it. The alteration was the addition of this sentence: "I mean James Laird, the member of congress from Nebraska," who Mr. Moore now swears "he did not intend to bring into the matter at all, as he did not believe he was in any way to blame." So, and in a manner comprehensive alone to cowards, scoundrels, and whiffits, did this trinity of political swill vendors procure the first affidavit of Moore. So true is this that when Moore's attention is called to his first so-called statement under oath, he, in a second affidavit, promptly pulls down the whole fabric of conceit, idioy and slop built upon it.

But for the charges: They follow here, having been made a part of Moore's affidavit on the cross-examination, and like the cloven foot in the story of "The Devil and Dr. Hornbrook," they show for themselves. If there ever was a realization of the fable of the Ass in the Lion's Skin, here it is. The Herald played the Lion, but showed the Ass. The "Olla Podrida" opens with the charge: That Laird said he "desired" a cattle "range." Suppose he did; could he, by the strength of that desire, take patent to 160 acres of the public land? Will the Herald point us to the clause in the statute, human or divine, where we are commanded not to desire good things? Barren desire wrongs no one. Granted he desires it yet. It's lawful, is it not? Laird would introduce a bill to "lease all the vacant public land in western Nebraska to the stock men." That is false. The writer of this heard what Laird said, and that was not it. Perhaps you got that statement from the man who procured Moore's affidavit. The man who denies his handwriting and can not face the one whose honor he seeks to assassinate is infamous among men and the truth is not in him. What Laird did say, was to ask why a bill authorizing the leasing of the desert and untillable land in western Nebraska for grazing purposes, until climatic changes should render it fit for agricultural purposes, was not better for both the stock men and the people, than the present way of dealing with it, a way which gives neither protection to the one nor revenue to the other. And then through the same deadly charge stalks the "maimed and wounded soldier," followed by the "hardy emigrant." And at the sight of these pictures of his brain, the hired patriot of the Herald shrieks with misery and smites the chords of terror. Bawl no more, gentle Herald, this Laird learned his lesson of love for the soldier in a place where the sutler-fattened hero, the dude and the democrat of your

stamp seldom came, and he will not forget it while the scars of honorable service remain.

In the next charge this Laird is told such a law would not pass. Here read between the lines the Herald man's refrain:

Bless and praise thy matchless might,  
When thousands thou hast left in night,  
That I am here 'fore thy sight,  
For gifts and grace,  
A burnin' and a shinin' light  
To a' this place.

And then: This lordly Herald charges he was told he could homestead and pre-empt, and so on to the end of this truthless twaddle of Simon Kelly and his "gin mill," of Page Francis and his surveys, of sixteen miles of claims, of the dugouts and Galen Baldwin, of solicitude for neighbors, and so on, through the ceaseless, senseless swash-swash of this drivell mill. As all these people speak for themselves, this editor might forbear. Yet, as there seems to be a persistent spite against "Simon" we will say of him as the poet of "Bludso":

'He were no saint, but at judgment  
I'd run my chance with "Sime"  
'Longside of some pious gentlemen  
That wouldn't shoo'k hands with him."

Barring his whisky business, which good men regret, when Simon Kelly

"Sees his duty a dead sure thing,  
He'll go for it there and then."

And that is as much as we believe can be said of the pharisee who sees, in what is more his misfortune than his crime, cause for rejoicing—and, by the way—in all mean things said of him they forget to mention that "Simon" is a democrat.

Here follows the affidavit of C. B. Moore, which was not stolen, is in the handwriting of the man who took it, and which frankly states that the charges of the Omaha Herald against James Laird are false:

State of Nebraska, Hitchcock county, ss. C. B. Moore, being first duly sworn, deposes and says: My post-office address is McCook, Red Willow county, Neb. I have read the following charges made by the Omaha Herald, and to the best of my knowledge they are false. I know of nothing that would justify them in making such charges against James Laird.

"The gentleman from Stinking Water will please take off his hat and listen to the indictment.

"The Herald charges that previous to the 15th day of June last, Mr. James Laird, the member from the Second district, expressed a desire to obtain in some manner a cattle range in western Nebraska.

"The Herald charges that the same Mr. Laird, otherwise known as "the gentleman from Stinking Water," about the same time announced his intention of introducing a bill in congress authorizing and instructing the secretary of the interior to lease all the vacant public lands in western Nebraska to stockmen for grazing purposes, which, if carried into effect, would close the land to settlement, and prevent the maimed and wounded soldier, the hardy immigrant, and in fact poor men of any class from obtaining a homestead. How is this for a republican member of congress, and great 'friend of the soldier' and 'honest granger'?"

"The Herald charges that the aforesaid Mr. Laird was informed that such a bill could not be passed, and that if by any means it should be passed it could not be carried into effect.

"The Herald charges that Mr. Laird then inquired of certain parties how he might acquire control of a water front so as to start a range, and that he was told it could be done by homesteading, pre-empting and tree-claiming land.

"The Herald charges that Mr. Laird, the gentleman from Stinking Water, in company with Simon Kelly, a gin-mill keeper, and Page Francis, surveyor of Red Willow county, went to the Stinking Water country and picked out and located some sixteen or seventeen quarter sections of land in such a manner that they would control the water privileges along that creek of odorous name, for a distance of sixteen miles or thereabouts.

"The Herald charges that the gentleman from Stinking Water hired and paid a man for building the dug-outs, plowing the five-acre patches, and making the other "improvements" required by law on these lands.

"The Herald charges that Mr. Laird explained his great solicitude and interest in the land by saying that he was trying to help some "neighbors" of his, who were good fellows, and ought to have homesteads.

"The Herald charges that Mr. Laird expects, or did expect, to 'run his chances of buying out the holders of these claims.'

"The Herald charges that Mr. Laird has admitted the truth of each and every one of these allegations, and that he cannot and dare not attempt to deny them. And the Herald further asserts that it is prepared to prove every allegation made above."

I was misled by Page S. Francis, surveyor of Red Willow county, but do not believe he did so with the intention of doing me a wrong, for he

gave me the following advice, to-wit: If I desired a claim on the Stinking Water, that I had better go on the same and stay there until he had time to make a correct survey of the same. I see by the newspapers and have heard some talk that they claim that James Laird is interested in the land business on the Stinking Water. I know that he has no claim on the Stinking Water and do not believe that he is interested in any way, but a man by the name of A. W. Laird has a claim and is the party interested in the transaction. In my affidavit September 15, 1883, which was written by other parties, I see the following sentence appears, which I think was not in the one I signed, to-wit: "I mean James Laird, the member of congress from Nebraska." If it did occur it was overlooked, for I did not intend to bring Mr. James Laird into this matter, for I do not believe he was interested or in any way to blame for any wrong done Mr. Hulburt or myself. In my affidavit of September 15, 1883, where the names Laird and Kelly appear, it has no reference to James Laird, but to A. W. Laird, and I did not intend that it should be otherwise. I believe Mr. James Laird to be a fair, square man, and would do anything in my power to aid him at any time. C. B. MOORE.

Sworn to and subscribed in my presence this second day of October, A. D., 1883. JOHN R. KING,  
Notary Public,  
Hitchcock county, Nebraska.

**CHARGE OF COLLUSION DISPROVED.**

The statement of Page Francis, which follows, puts to rest the charge of collusion between the Hastings men and himself as surveyor, to overreach Hulburt and Moore:

STATE OF NEBRASKA, }  
COUNTY OF RED WILLOW, } ss.

Page T. Francis, being by me first duly sworn, on his oath says that the reports lately made by parties unknown to affiant and published in the Omaha Herald and Bee, charging collusion between certain Hastings men, the McCook land officers, and myself as surveyor of this county, in obtaining certain lands on Stinking Water creek, in Chase county, are utterly false. There was no collusion whatever, and the following are the facts:

About the first of June, this year, one George Hulburt, claiming to be from Chicago, came to me and wanted me to survey a stock ranch for him on the Stinking Water. He did not say how much land he wanted. He wanted me to do the work in connection with a like survey for a man named Fisher. Fisher was to select the claims for him after the lines were run. Fisher did not go or offer to go to the Stinking Water until after the 15th of June. On the 12th of June I went out to the Stinking Water to make surveys for the Hastings men, if they liked the country, and things were otherwise satisfactory. On the 13th of June I ran the lines for them from a mound and four pits found near the forks of the creek. It being the only monument I found, I made the plats from it. I had not then seen a plat of that section. The plat was given to Galen Baldwin to be given to Simon Kelly at McCook. On the 14th Hulburt and Moore came to the creek and I gave them a true copy of the same plats I had given Baldwin for the Hastings men. Hulburt asked if the survey was right. I said it was unsatisfactory to me, but it was right if the starting point was right, yet if he wanted to make sure he must make settlement and that would hold it. On my return to McCook the government plats were there and I examined them and became satisfied that I based my survey on a quarter corner instead of a section corner. I afterwards ran the lines taking the corner spoken of as a quarter corner and found nearly all the marks of the government survey. I did the same work for, and gave the same information to all these parties. Neither Hulburt nor Moore have paid me a cent for my work, although Hulburt promised to do so. Simon Kelly paid me for the work done for the Hastings men. Nothing was ever said by me to Moore or any other person about Laird or any one else intending to wrong him, and nothing was said by Kelly or Laird about taking advantage of any one. Laird's only interest in it seemed to be to see to it that the rights of others were respected. Neither Hulburt nor Moore had any claim in that country to be jumped. There are no homesteads where farming is attempted, nearer than fifty miles from there, and such as there has been was attempted by the Menonites, and with such a succession of failures that they were starved out and moved to Oregon. The country on the Stinking Water, where these claims are, is barren of everything save buffalo grass, cactus and weeds—a great stretch of sand hills, valuable only for grazing.

PAGE T. FRANCIS.  
Signed in my presence and sworn to